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ORAL STATEMENT
Item 6:
Consideration of UPR reports: Belgium

UN Human Rights Council
48th session
13 September – 8 October 2021

Madame President,

Amnesty International welcomes Belgium's engagement in the UPR process, its full or partial acceptance of 259 out of 308 recommendations and its acceptance to regularly involve civil-society in the follow-up to the review.¹

We note the commitment of Belgium to ratify the Optional Protocol to the Convention Against Torture², to reform the Federal Human Rights Institute³ and to adopt and implement a National Action Plan Against Racism.⁴ However, similar commitments have been made since Belgium's first review in 2011. We regret Belgium's inadequate and slow action to implement these recommendations.

The prevalence of rape and other forms of sexual and gender-based violence in Belgium remains a serious concern. We welcome Belgium's continued commitment to establish care centres with structural support and sufficient financing where survivors can access assistance,⁵ and to improve the collection of disaggregated data on violence against women⁶. Crucially, these accepted recommendations must be reflected in the goals of the new National Action Plan against Gender-based Violence.

Madame President,

¹ Human Rights Council, Report of the Working Group on the Universal Periodic Review – Belgium, 14th July 2021, A/HRC/48/8 recommendation 35.48 (Malaysia)

² A/HRC/48/8 recommendations 35.1 (Australia, Denmark, Finland, France, Greece, Iceland, Luxembourg, Maldives, Mauritius, Montenegro, Poland, Portugal), 35.2 to 35.19 (Italy, Switzerland, Cyprus, Czechia, Georgia, Malawi, Ghana, Lithuania, Netherlands, Norway, Paraguay, United Kingdom of Great Britain and Northern Ireland, Costa Rica, Romania, Ukraine, North Macedonia, Chile, Albania, Kazakhstan, Croatia).

³ A/HRC/48/8 recommendations 35.22 – 35.47 (Republic of Korea, Nepal, Qatar, Bolivarian Republic of Venezuela, Denmark, Rwanda, Spain, Ukraine, Jordan, Turkmenistan, Costa Rica, Bangladesh, Greece, India, Indonesia, Iraq, Canada, Australia, Slovenia, Senegal, Mongolia, United Kingdom of Great Britain and Northern Ireland, Kazakhstan, North Macedonia, Uruguay, Russian Federation, Djibouti, Luxembourg, Ecuador, Ireland, Paraguay).

⁴ A/HRC/48/8 recommendations 35.79 – 35.94 (Australia, Portugal, Burkina Faso, Canada, Chile, Cuba, Czechia, Finland, France, Singapore, Malaysia, Brazil, Syrian Arab Republic, Guyana).

⁵ Recommendations 35.188 – 35.190 (Luxembourg, Islamic Republic of Iran, Bulgaria).

⁶ Recommendations 35.184 (Spain), 35.192 (Austria) and 36.51 (Dominican Republic).

It is alarming to note the worrying number of cases of people belonging to ethnic minority groups dying during or after contact with police forces in Belgium. Though we note that Belgium accepted recommendations to independently and comprehensively investigate allegations of police violence⁷ and to enhance transparency on the findings⁸ of such investigations, Belgium should indicate what concrete steps it shall take to strengthen supervision, end impunity and ensure accountability, and to eradicate discrimination.

We regret the lack of support for the recommendation by some states⁹, which echoes the report of the UN Committee on the Elimination of Racial Discrimination¹⁰, to include an explicit prohibition on ethnic profiling by police in its legislation and urge Belgium to reverse its position.

We also urge Belgium to implement other important recommendations that it did not support, including an absolute prohibition¹¹ of the detention of children for reasons related to migration and to ensure that the prison population does not exceed prison capacity.¹²

Thank you.

⁷ A/HRC/48/8, recommendation 35.105 (Slovakia), 35.106 (Azerbaijan), 35.110 (Czechia), 35.113 (Egypt).

⁸ A/HRC/48/8, recommendation 35.108 (Austria).

⁹ A/HRC/48/8, recommendation 37.11 (Bolivarian Republic of Venezuela) and 37.12 (Saudi Arabia).

¹⁰ Concluding observations on the combined twentieth to twenty-second periodic reports on Belgium, CERD, CERD/C/BEL/CO/20-22, 21 May 2021: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fBEL%2fCO%2f20-22&Lang=fr

¹¹ A/HRC/48/8, recommendation 36.59 (Mexico) and 36.62 (Niger).

¹² A/HRC/48/8, recommendation 36.40 (Denmark).